

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.) **NO. 95-CR-30013-WDS**
)
DON STEVEN SKAGGS,)
)
)
Defendant.)

MEMORANDUM AND ORDER

STIEHL, District Judge:

This matter is before the Court for docket control. Defendant filed a pro se motion entitled “For Nunc Pro Tunc,” seeking the Court to order the Clerk’s office to send him copies of his file so that he can review that portion of his sentence which ordered the forfeiture of real property. The defendant pleaded guilty, cooperated in the government’s prosecution of his co-defendants, and was originally sentenced on May 9, 1996 to a term of imprisonment of 360 months (360 months on Count 1, 240 on Count 2, to be served concurrently, a term of supervised release of 5 years on Count 1 and 2 years on Count 2, to run concurrently, a fine of \$3,500 and a special assessment of \$100.00).

That sentence included an order of forfeiture (Doc. 410). The Court entered an Amended Judgment and Commitment Order on January 10, 1997, (Doc. 649) pursuant to the government’s motion for reduction in sentence. As part of the order of Forfeiture, the Court, on the government’s motion, dismissed the forfeiture of real estate, but ordered monetary judgment of \$1,8000,000.00.

Defendant seeks a copy of his original judgment and sentence order to potentially assert a claim that the BOP Financial Responsibility Program is in error in determining his obligation to pay money judgment of \$1,800,000.00.

Upon review of the record, the Court **GRANTS** defendant's motion to the extent that it seeks for a copy of his original Judgment and Commitment Order, and, additionally, the Court **DIRECTS** the Clerk of the Court to provide the defendant with a complete copy of his Amended Judgment and Commitment Order. The Court notes that any action which the defendant would seek to file as to his sentence should be filed as a separate habeas action under 28 U.S.C. § 2255.

IT IS SO ORDERED

DATE: 17 November, 2010

/s/ WILLIAM D. STIEHL
DISTRICT JUDGE